

Local Court Rules

Benton County District Court

General Rules

BCrRLJ 3.2

Release of Accused

- (o)(1) Except as set forth in subsections (2) and (3), in the absence of a judicial order, bail for any person arrested by a Law Enforcement Officer on probable cause for a misdemeanor shall be \$500 cash or bond and for a gross misdemeanor \$1,000 cash or bond pending his or her first appearance in court.

Any person arrested on probable cause for a violation of RCW 46.61.502 (Driving Under the Influence) or RCW 46.61.504 (Physical Control of a Vehicle Under the Influence) shall only be released after an eight-hour sobriety hold and he or she has blown a .00 on a portable breath test.

Any person arrested on probable cause for a violation of RCW 46.61.502 (Driving Under the Influence) or RCW 46.61.504 (Physical Control of a Vehicle Under the Influence) who is released prior to a first court appearance will have a first court appearance on the next judicial day after the date he or she is released.

- (2) In the absence of a judicial order any person arrested by a Law Enforcement Officer on probable cause (without an arrest warrant) for the offenses listed below shall be held without bail until his or her first appearance in court:

1. Assault Domestic Violence or No Contact Order Domestic Violence under RCW 10.99 or an equivalent local ordinance.
2. Harassment and/ or Stalking under RCW 10.14 and/or 9A.46 or an equivalent local ordinance.
3. An offense classified as a Felony.

- (3) In the absence of a judicial order any person arrested by a Law Enforcement Officer on probable cause for a violation of RCW 46.61.502 (Driving Under the Influence) or RCW 46. 61. 504 (Physical Control of a Vehicle Under the Influence) and the officer has knowledge that the person has been charged with or has a prior offense as defined in RCW 46.61.5055 within 10 years shall be held without bail until his or her first appearance in court.